

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
NORTHERN DIVISION**

**CHANDRA LYONS
ADC #704518**

PLAINTIFF

V.

CASE NO. 1:15-CV-54-DPM-BD

BANISTER, et al.

DEFENDANTS

RECOMMENDED DISPOSITION

I. Procedure for Filing Objections

This Recommended Disposition (“Recommendation”) has been sent to United States District Judge D.P. Marshall Jr. You may file written objections to this Recommendation. If you file objections, they must be specific and must include the factual or legal basis for your objection. To be considered, objections must be received in the office of the United States District Court Clerk within fourteen (14) days of this Recommendation.

If no objections are filed, Judge Marshall can adopt this Recommendation without independently reviewing the record. By not objecting, you may also waive any right to appeal questions of fact.

II. Discussion

Chandra Lyons, an Arkansas Department of Correction (“ADC”) inmate, filed this lawsuit pro se under 42 U.S.C. § 1983. Because of her litigation history, Ms. Lyons cannot proceed *in forma pauperis* in federal court absent an allegation that she is in

imminent danger of serious physical injury.¹ 28 U.S.C. § 1915(g). Here, Ms. Lyons did not plead sufficient facts to allege imminent danger of serious injury. Accordingly, the Court instructed Ms. Lyons to pay the \$400 filing fee within thirty days. Ms. Lyons was warned that her claims could be dismissed if she did not pay the statutory filing fee as ordered. (Docket entry #2) As of this date, Ms. Lyons has not complied with the Court's April 29, 2015 Order.

III. Conclusion

The Court recommends that Ms. Lyon's claims be DISMISSED, without prejudice, based on her failure to comply with the Court's April 29, 2015 Order.

DATED this 1st day of June, 2015.


UNITED STATES MAGISTRATE JUDGE

¹ See *Lyons v. McDonald*, 5:96-cv-369-GH; *Lyons v. Anderson*, 5:96-cv-463-SWW; *Lyons v. Thompson*, 5:96-cv-547 SMR.